IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.153 OF 2005
IN

CRIMINAL WRIT PETITION NO.1742 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

Mr.K.H.Dhuldhwaj for petitioner
Ms.P.H.Kantharia, APP for State

CORAM : R.M.S.KHANDEPARKER &
P.V.KAKADE, JJ.

DATE : 17TH JANUARY, 2005.

P.C.

1. Heard.

2. Even though there is no satisfactory explanation given for absence of the Advocate on 13.12.2004 when the matter was listed for hearing and dismissed for default. Considering the fact we are inclined to allow the application subject to payment of cost of Rs.1000/=.

The payment of cost is condition precedent for the petitioner being heard in the matter. The application is allowed subject to payment of cost of Rs.1000/=. The costs to be deposited within a period of two weeks from today, failing which the Petition shall stands dismissed for want of prosecution.

3. On deposit of cost of Rs.1000/= in the Registry the same shall be credited to the account of Legal Aid Services and in that case the Petition shall be listed for final hearing in the week commencing from 14th February, 2005.

(R.M.S.Khandeparkar, J)

(P.V.Kakade, J.)

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